

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 10TH DAY OF SEPTEMBER 2015/19TH BHADRA, 1937

Bail Appl..No. 5388 of 2015

CRIME NO. 77/2015 OF EZHUKONE EXCISE RANGE, KOLLAM DISTRICT

PETITIONER(S)/ACCUSED :

**PRADEEP, AGED 38 YEARS,
S/O.RETNAKARAN, THRIVENI VEEDU, KADAKKODU MURI,
KAREEPRA VILLAGE, KOLLAM DISTRICT.**

BY ADV. SRI.B.MOHANLAL

RESPONDENT(S)/COMPLAINANT & STATE :

**STATE REPRESENTED .BY THE EXCISE RANGE INSPECTOR
EZHUKONE EXCISE RANGE, KOLLAM DISTRICT,
THROUGH THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.RAJESH VIJAYAN

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 10-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

A.HARIPRASAD, J.

B.A No.5388 of 2015

Dated this the 10th day of September, 2015.

ORDER

Application for bail under Section 439 Cr.P.C.

2. Petitioner is the accused in crime No.77/2015 of Ezhukone Excise Range registered for an offence punishable under Section 55 (g) of the Abkari Act.

3. Prosecution case, in short, is that on 31-07-2015 at about 06.30 p.m., the accused was found in possession of 50 litres of Wash for manufacturing illicit liquor and thereby committed the aforementioned offence. The petitioner was arrested on the same day and he is in custody since then.

4. Heard the learned counsel for the petitioner and the learned Public Prosecutor.

5. Learned counsel for the petitioner submitted that the accused is innocent of all allegations. Records have been produced to show that he is undergoing treatment for disorder of liver.

6. Learned Public Prosecutor opposed the bail application. Considering the stage of investigation and the number of days undergone in judicial custody, I find that bail can be granted to the petitioner with following strict conditions :

1. The petitioner shall be released on bail on executing a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate having jurisdiction.
2. The sureties shall produce documents to establish their identity and solvency. The learned Magistrate need not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.
3. The petitioner shall appear before the Investigating Officer on all Mondays and Thursdays between 10.00 and 11.00 a.m until final report is filed.
4. The petitioner shall not indulge in any offence while on bail.
5. The petitioner shall not influence or intimidate the witnesses or meddle with the investigation in any manner.

If any of the above conditions is breached by the petitioner, the learned Magistrate is free to cancel bail without referring the matter to this Court.

Sd/-
A.HARIPRASAD,
JUDGE.